

AO 88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

OKLAHOMA

State of Oklahoma, Inc., et al.

V.

Tyson Foods, Inc. et al.

SUBPOENA IN A CIVIL CASE

Case Number:¹ 4:05-CV-00329-TCK-SAJ
No. Dist. Okla.

TO: Juana Loftin
Rt 2, Box 400
Watts, Ok
918/422-4825 918/524-9482

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

- ☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

The attached legal description and Sampling Request

DATE AND TIME

May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Plaintiff

April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, 502 W. 6th St., Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number

AO 88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Form 6-Burkhart ing & Stationery Co., Tulsa, Okla.

General Warranty Deed

(WITH SURVIVORSHIP CLAUSE)

(For Filing Only)

109452

FILED

ADAIR COUNTY, STILLWELL, OK.

7 1985

BOOK

AARON L. BARNES

THIS INDENTURE, Made this 24th day of May, 1985,
between GERALD A. JENISON and PATRICIA A. JENISON,
Husband and Wife,

Parties of the first part, and ERNEST LOFTIN and JUANA U. LOFTIN,
Husband and Wife, Rt. 3, Box 253-AA, Siloam Springs, AR 72761,
with the right of survivorship as hereinafter set out, part ies of the second part.

WITNESSETH: That in consideration of the sum of TEN DOLLARS AND
OTHER GOOD AND VALUABLE CONSIDERATIONS DOLLARS,
and other good and valuable considerations, receipt whereof is hereby acknowledged, said part ies of the first part do
by these presents grant, bargain, sell and convey unto
ERNEST LOFTIN and JUANA U. LOFTIN, Husband and Wife,
and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple
title, the following described real estate situated in Adair County, State of Oklahoma, to-wit:

The North 30 acres of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, Township 19 North,
Range 25 East.



TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the
survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in any wise appertaining forever.

AND said GERALD A. JENISON and PATRICIA A. JENISON, their
successors, grantees, executors, and administrators, do hereby covenant and agree to and with said parties of the second part
that, at the delivery of these presents, they xx are lawfully seized of an absolute and indefeasible estate of inheritance
in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free,
clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments
and encumbrances of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special
assessments not yet due;

and that parties grantor will
WARRANT AND FOREVER DEFEND the same unto said part ies of the second part, their heirs, successors and assigns
against said part ies of the first part, their heirs, successors and assigns, and all and every person or persons whomsoever
lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, the said parties grantor has executed or caused to be executed, this instrument the day
and year first above written.

STATE OF OKLAHOMA
COUNTY OF ADAIR

I hereby certify that the within and
foregoing instruments is a true and
copy of the records as shown in the office of
the County Clerk in and for Adair County,
Oklahoma.

Gerald A. Jenison
GERALD A. JENISON
Patricia A. Jenison
PATRICIA A. JENISON, His Wife

STATE OF Arkansas

County of Benton

(Oklahoma Form of Acknowledgment)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 24th day of
May, 1985, personally appeared GERALD A. JENISON
and PATRICIA A. JENISON, His Wife,
to me known to be the identical person. S who executed the within and foregoing instrument, and acknowledged to me that
they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

My commission expires June 1, 1985

Ed Coleman
Notary Public

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO: Raymond C. Anderson
Shannon Anderson
Rt 2, Box 415
Watts, Ok 74964

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

See attached legal description and Sampling Request

DATE AND TIME
May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR

DATE
April *13*, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119
918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO: Julie Anderson Chancellor
Trustee of Julie Anderson Chancellor Revocable Trust
18890 E. 575 Rd.
Colcord, Ok 74338

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

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DATE AND TIME

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See attached legal descriptions and Sampling Request

DATE AND TIME

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ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR

DATE

April *13*, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

I-2006-001045 Book 170D Pg: 589
01/26/2006 11:03 am Pg 0589-0589
Fee: \$ 13.00 Doc: \$ 0.00
Carol Fortner - Delaware County Clerk
State of Oklahoma

QUITCLAIM DEED

This indenture made this 24th day of January, 2006, between Julie Kay Anderson, now Julie Anderson Chancellor, and Ronald D. Chancellor, wife and husband, parties of the first part, hereinafter called party grantor (whether one or more) and Julie Anderson Chancellor, Trustee of the Julie Anderson Chancellor Revocable Trust (U/D dated January 23, 2006), party of the second part, party grantee.


WITNESSETH: That in consideration of the sum of Ten and no/100 Dollars receipt of which is hereby acknowledged, said party grantor does, by these presents, quitclaim, grant, bargain, sell and convey unto said party grantee, the Julie Anderson Chancellor Revocable Trust (U/D 01/23/06), the trust's beneficiaries, its heirs, and assigns, all of their right, title, interest, estate, and every claim and demand, both at law and in equity, in and to the following described real estate, situated in the County of Delaware State of Oklahoma, to-wit:

The W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 20 North, Range 25 East, containing 40 acres, more or less.

This deed is exempt from documentary stamp tax (68 O.S. §3202.4).

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever, so that neither the parties of the first part nor any person in their name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

IN WITNESS WHEREOF, the said party grantors have hereunto set their hands the day and year above written.


JULIE KAY ANDERSON, now
JULIE KAY CHANCELLOR


RONALD D. CHANCELLOR

STATE OF ARKANSAS)
) ss
COUNTY OF BENTON)

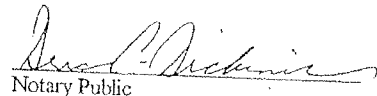
ACKNOWLEDGMENT

On this 24th day of January, 2006, came before the undersigned, a Notary Public within and for the county aforesaid, duly commissioned and acting, Julie Kay Anderson, now Julie Anderson Chancellor, and Ronald D. Chancellor, wife and husband, to me well known, and stated that they had executed the foregoing Quitclaim Deed for the consideration and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this 24th day of January, 2006.



My Commission Expires:


August 20, 2011

Notary Public

MAIL TAX STATEMENT TO:

Julie Anderson Chancellor, Trustee
18890 E. 575 Rd.
Colcord, OK 74338

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO : Tony Ray Anderson
Carla Renay Anderson
Rt 2, Box 553
Watts, Ok 74964

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

See attached legal description and Sampling Request

DATE AND TIME

May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR

DATE

April 18, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

SERVED

DATE

PLACE

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

I-2005-013679 Book 1691 Pg: 414
11/21/2005 10:47 am Pg 0414-0414
Fee: \$ 13.00 Doc: \$ 0.00
Carol Fortner - Delaware County Clerk
State of Oklahoma

QUITCLAIM DEED

THIS INDENTURE, made this 17th day of November, A.D., 2005, between Tony Ray Anderson and Carla Renay Anderson, husband and wife, parties of the first part and Tony Ray Anderson and Carla Renay Anderson, parties of the second part, as joint tenants with right of survivorship and not as tenants in common.

WITNESSETH, That said parties of the first part, in consideration of the sum of Ten and no/100 (\$10.00) Dollars to us duly paid, the receipt whereof is hereby acknowledged, do hereby quit-claim, grant, bargain, sell and convey unto the said parties of the second part as joint tenants with right of survivorship and not as tenants in common, their heirs, and assigns to take the entire fee simple title, the following described real estate situated in Delaware County, State of Oklahoma, to-wit:

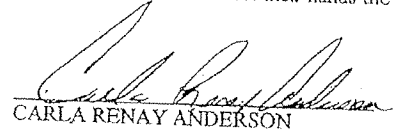
THE NE¼ NE¼ NW¼ OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 25
EAST, DELAWARE COUNTY, OKLAHOMA.

This deed is exempt from documentary stamp tax (68 O.S. §3202.4).

TO HAVE AND TO HOLD the same as joint tenants with right of survivorship and not as tenants in common, with the fee simple title in the survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever.

IN WITNESS WHEREOF, the said parties of the first part do hereunto set their hands the day and year above written.


TONY RAY ANDERSON


CARLA RENAY ANDERSON

STATE OF ARKANSAS)
) ss
COUNTY OF BENTON.)

ACKNOWLEDGMENT

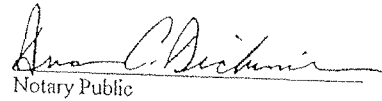
On this 17th day of November, 2005, came before the undersigned, a Notary Public within and for the county aforesaid, duly commissioned and acting, Tony Ray Anderson and Carla Renay Anderson, husband and wife, to me well known, or satisfactorily proven, and stated that they had executed the foregoing Quitclaim Deed for the consideration and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this 17th day of November, 2005.



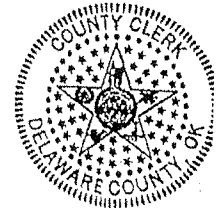
Commission Expires:

August 20, 2011


Notary Public

MAIL TAX STATEMENT TO:

Tony and Carla Anderson
Rt. 2, Box 553
Watts, OK 74964



Prepared by Dena C. Dickinson, Attorney at Law, P.O. Box 248, Siloam Springs, AR 72761

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

%AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

OKLAHOMA

State of Oklahoma, Inc., et al.

V.

Tyson Foods, Inc. et al.

SUBPOENA IN A CIVIL CASE

Case Number:¹ 4:05-CV-00329-TCK-SAJ

No. Dist. Okla.

TO: David R. Wofford
Robin L. Wofford
Rt 2, Box 370
Watts, Ok 918/422-5454

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

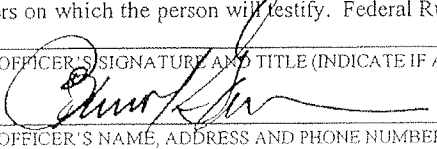
- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
-------	---------------

- ☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
The attached legal description and Sampling Request	May 5 , 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
Richard T. Garren, OBA #3253, 502 W. 6th St., Tulsa, Ok 74119	918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

GENERAL WARRANTY DEED

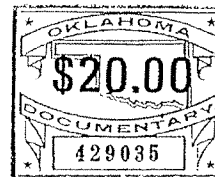
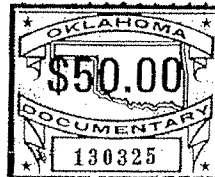
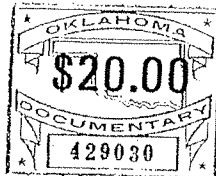
(With Survivorship Clause)

FILED
 ADAIR COUNTY, STILLWELL, OKLA.
 23004
 OCT 15 1992
 9 HOUR 45 MINUTE
 IN BOOK 270 AT PAGE 128
 By ARON CARTON, County Clerk
 Deputy

THIS INDENTURE, Made this 24th day of September, 1992 between **RONNIE E. HESTER and BARBARA J. HESTER**, husband and wife, and **RYAN HESTER and KAY HESTER**, husband and wife, parties of the first part, and **DAVID R. WOFFORD and ROBIN L. WOFFORD**, husband and wife, with right of survivorship, as hereinafter set out, parties of the second part, of Route 2, Box 370, Watts, Oklahoma, 74964.

WITNESSETH: That in consideration of the sum of TEN DOLLARS and other good and valuable considerations, receipt whereof is hereby acknowledged, said parties of the first part do by these presents grant, bargain, sell and convey unto **DAVID R. WOFFORD and ROBIN L. WOFFORD**, husband and wife, as joint tenants and not as tenants in common, on death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple title, the following described estate situated in Adair County, State of Oklahoma, to-wit:

The NE 1/4 of SE 1/4 and SE 1/4 of NE 1/4 of Section 9, Township 19 North, Range 25 East, Adair County, Oklahoma.



STATE OF OKLAHOMA }
 COUNTY OF ADAIR }
 I hereby certify that the within and foregoing instruments is a true and correct copy of the records as shown in the office of the County Clerk in and for Adair County.

Dated this 15th day of October 1992
 ARON CARTON, County Clerk
 Clerk

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever.

AND said parties of the first part, their heirs, successors, grantees, executors and administrators do hereby covenant and agree to and with said parties of the second part that, at the delivery of these presents, they are lawfully seized of an absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments and encumbrances of whatsoever nature and kind, **EXCEPT:** Easements and building restrictions of record and special assessments not yet due;

AND that parties grantor will **WARRANT AND FOREVER DEFEND** the same unto said parties of the second part, their heirs, successors and assigns against said parties of the first part, their heirs, successors and assigns, and all and every person or persons whomsoever lawfully claiming, or to claim the same.

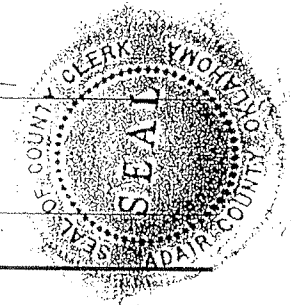
IN WITNESS WHEREOF, parties of the first part have executed or caused to be executed, this instrument the day and year first above written.

Ronnie E. Hester
 RONNIE E. HESTER

Ryan Hester
 RYAN HESTER

Barbara J. Hester
 BARBARA J. HESTER

Kay Hester
 KAY HESTER



STATE OF ARKANSAS)

COUNTY OF BENTON)

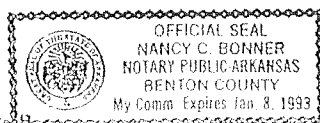
(Oklahoma Form of Acknowledgment)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 24th day of September, 1992, personally appeared **RONNIE E. HESTER and BARBARA J. HESTER**, husband and wife, and **RYAN HESTER and KAY HESTER**, husband and wife, to me well known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

My commission expires:

Nancy C. Bonner
 Notary Public



(Seal)

RETURN TO: CARL BONNER - BOX 577 - SILOAM SPRINGS, AR 72761



48259

WARRANTY DEED
(With Full Right of Survivorship)

STATE OF OKLAHOMA, Adair County, Filed for record
on this day at 10:48
Book 372, at Page 763

AUG 11 1999

Documentary Stamps: \$ 30.00
By Carrie Philpott, Adair County Clerk
Deputy

THIS INDENTURE, made this 28 day of July, 1999, between SONNY JOE RIDDLE AND SUSAN RIDDLE, HIS WIFE, AND DESIRAE T. BARNETT AND BRIAN BARNETT, HER HUSBAND, of ROUTE 2, BOX 793, WATTS, OK 74964, hereinafter called "Party of the First Part", and DAVID WOFFORD AND ROBIN WOFFORD, HUSBAND AND WIFE, of ROUTE 2, BOX 370, WATTS, OK 74964, as joint tenants and not as tenants in common, with full right of survivorship as hereinafter set out, hereinafter called "Party of the Second Part".

WITNESSETH: That in consideration of the sum of Ten and .00/100ths Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, said Party of the First Part does, by these presents grant, bargain, sell and convey unto DAVID WOFFORD AND ROBIN WOFFORD, HUSBAND AND WIFE, as joint tenants and not as tenants in common, on the death of one, the survivor or the heirs and assigns of the survivor, to take the entire fee simple title to the following described real estate situated in Adair County, State of Oklahoma, to-wit:

THE SW/4 OF NE/4 OF SECTION 9, T-19-N, R-25-E.

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the survivor, the heirs and assigns of the survivor, together will all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever.

AND said Party of the First Part, their heirs, grantees, executors and administrators, do hereby covenant and agree to and with said Party of the Second Part that, at the delivery of these presents, they are lawfully seized of an absolute and indefeasible estate of inheritance in fee simple of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, assessments and encumbrances of whatsoever nature and kind. EXCEPT: Easements and building restrictions of record and special assessments not yet due; _____; and that Party Grantors will WARRANT AND DEFEND the same unto said Party of the Second Part, their heirs, successors and assigns against said Party of the First Part, their heirs and assigns, and all and every person(s) whosoever lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, the Party of the First Part has executed this instrument the day and year first above written.

Sonny Joe Riddle
SONNY JOE RIDDLE

Susan H. Riddle
SUSAN RIDDLE

Desirae T. Barnett, By Sonny Riddle,

ATTY-IN-FACT
DESIRAE T. BARNETT, By Sonny Joe Riddle, Attorney-In-Fact

Brian Barnett, By Sonny Riddle
ATTY-IN-FACT

BRIAN BARNETT, By Sonny Joe Riddle, Attorney-In-Fact

STATE OF ARKANSAS)
COUNTY OF BENTON) ss.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public in and for the aforesaid County and State, on this 28 day of July, 1999, personally appeared, SONNY JOE RIDDLE AND SUSAN RIDDLE, HIS WIFE, and DESIRAE T. BARNETT AND BRIAN BARNETT, HER HUSBAND, by and through SONNY JOE RIDDLE, AS ATTORNEY-IN-FACT, who acknowledged to me to be the identical persons that executed the foregoing instrument and stated they did so as their free and voluntary act and deed for the uses and purposes therein mentioned. Given under my hand and seal on the day and year last above written.

My Commission Expires: 11-13-00

Sheila J. Tucker
Notary Public-State Of Arkansas
Qualified In Benton County

Sheila J. Tucker
Notary Public

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

OKLAHOMA

State of Oklahoma, Inc., et al.

V.

Tyson Foods, Inc. et al.

SUBPOENA IN A CIVIL CASE

Case Number:¹ 4:05-CV-00329-TCK-SAJ

No. Dist. Okla.

TO: Steve Butler d/b/a Green Country Farms
Rt 1, Box 5459
Westville, Ok 78965

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

- ☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

The attached legal description and Sampling Request

DATE AND TIME

April 5, 2006 @ 9:00 a.m.
May

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Plaintiff

April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, 502 W. 6th St., Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

AQ88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

WARRANTY DEED

(Statutory Form)

FILED
ADAIR COUNTY, STILWELL, OK.

JUL 19 1985

KNOW ALL MEN BY THESE PRESENTS:

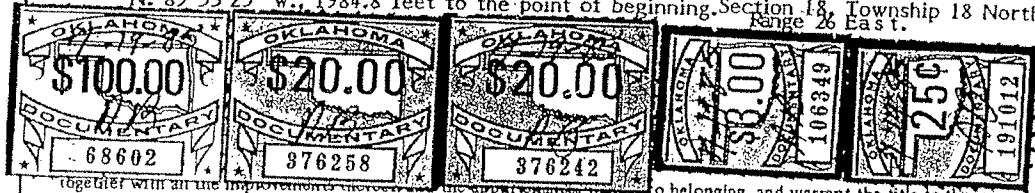
THAT Danny Smith and Arlene Smith, husband and wifeIN BOOK 321 PAGE 800
By AARON L. BARTON, County Clerk Deputy, part ies of the first part, in consideration of the
sum of One and no/100 dollars,

and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do

hereby grant, bargain, sell and convey unto HUDSON FARMS, INC., part y
of the second part, the following described real property and premises situate in ADAIR

County, State of Oklahoma, to-wit:

The E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and the North 813 feet of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the North 813 feet of the East 506 feet of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and that part of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and that part of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ described as follows: Beginning at the SW corner of said E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, thence N. 0°09'W., 4.00 feet; thence N. 88°38'14" E., 661.79 feet; thence N. 88°53'51" E., 1323.45 feet; thence S. 0°05'59" E., 49.00 feet to the SE corner of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence N. 89°53'25" W., 1984.8 feet to the point of beginning. Section 18, Township 18 North, Range 26 East.



together with all the improvements thereon and the appurtenances thereto to belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part y of the
second part, its heirs and assigns forever, free, clear and discharged of and
from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 17th day of July, 19 85

STATE OF OKLAHOMA

COUNTY OF ADAIR

SS:

INDIVIDUAL ACKNOWLEDGEMENT
(Oklahoma Form)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 17th day of
July, 1985, personally appeared

Danny Smith and Arlene Smith, husband and wife

to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that they
executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires 2/10/87

Compliments of Chicago Title Insurance Company.

STATE OF OKLAHOMA
COUNTY OF ADAIR

I hereby certify that the within and
foregoing instruments, are true and corr
copy of the records as shown in the office
the County Clerk in and for Adair Coun
Dated this 17th day of July, 1985
County Clerk
By [Signature] County Cl

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO: W. A. [or Bev] Saunders
55286 S. 706 Rd.
Colcord, Ok 74338
918/422-6187

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

See attached legal descriptions and Sampling Request

DATE AND TIME

May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR

DATE

April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

DATE	PLACE
<hr/>	
SERVED	
SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

W. A. or Bev Saunders:

Section 11 and 15, T20N, R25E, Delaware County, State of Oklahoma.

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO: Bill R. Anderson
Tony R. Anderson
18861 E. 570 Rd.
Colcord, Ok

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
-------	---------------

☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

See attached legal descriptions and Sampling Request

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR	DATE
--	------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119
918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NO REVENUE REQUIRED

BOOK 445 PAGE 178

STATE OF OKLAHOMA

COUNTY OF DELAWARE

JOINT TENANCY

WARRANTY DEED

(Individual Form)

1983 MAR 29 AM 11:25

BOOK 445 PAGE 178

SAMUELSON COUNTY CLERK

BY *Youngblood*

DEPUTY

#12517

KNOW ALL MEN BY THESE PRESENTS:

THAT Bill R. Anderson and Betty Anderson, his wife, and
Loyd D. Anderson and Peggy Anderson, his wife,

part ies of the first part, in consideration of the
 sum of Ten and no/100 dollars

and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do

hereby grant, bargain, sell and convey unto Bill R. Anderson and Tony R. Anderson,
father and son, of Route 1, Box 263, Colcord, OK 74338,

as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the
 survivor in event of the death of either, parties of the second part, the following described real property and
 premises situate in Delaware County, State of Oklahoma, to-wit:

The $W\frac{1}{2}$ SW $\frac{1}{4}$ and the $W\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ in Section 33, Township 20 North,
 Range 25 East, containing 100 acres, more or less, EXCEPT one-fourth
 of all mineral rights heretofore reserved by the Federal Land Bank
 and easements for roadways on the West side of the land herein des-
 cribed,

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title
 to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint
 tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former
 grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this March day of March, 1983

Bill R. Anderson
Bill R. Anderson
Betty Anderson
Betty Anderson

Loyd D. Anderson
Loyd D. Anderson
Peggy Anderson
Peggy Anderson

STATE OF OKLAHOMA

COUNTY OF Delaware

SS:

INDIVIDUAL ACKNOWLEDGMENT
Oklahoma Form

Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of

March, 1983, personally appeared Bill R. Anderson and Betty

Anderson, his wife and Loyd D. Anderson and Peggy Anderson,
his wife,

to me known to be the identical person s, who executed the within and foregoing instrument and acknowledged to me that
they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires 2/1/84

Virginia M. Kay
Virginia M. Kay Notary Public

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma, et al.
Plaintiff(s)

vs.

Case Number: 4:05-cv-00329-TCK-SAJ

Tyson Foods, Inc. et al.
Defendant(s)

SUBPOENA IN A CIVIL CASE

TO: Bill Ray Anderson
Betty Faye Anderson
18861 E. 570 Rd.
Colcord, Ok

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME

☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

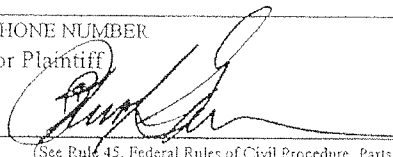
PREMISES	DATE AND TIME
See attached legal descriptions and Sampling Request	May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR	DATE
	April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, Attorney for Plaintiff
502 W. 6th St.
Tulsa, Ok 74119
918/587-3161



(See Rule 45, Federal Rules of Civil Procedure, Parts C & D)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Revenue: \$22.00

WARRANTY DEED

(Statutory Form - Individuals)

BOOK 353 PAGE 428

KNOW ALL MEN BY THESE PRESENTS:

THAT RAYMOND A. ANDERSON, same person as RAY ANDERSON, and
HAZEL ANDERSON, husband and wife,

part ies of the first part, in consideration of the
 sum of One and no/100 dollars,

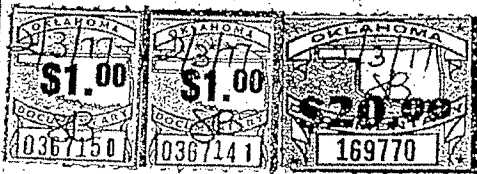
and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do

hereby grant, bargain, sell and convey unto BILLY RAY ANDERSON, Route 4, Siloam Springs,
Arkansas 72761

part y
 of the second part, the following described real property and premises situate in Delaware

County, State of Oklahoma, to-wit:

The W $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the
 NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
 containing 140 acres, more or less, all in Section 30, Township
 20 North, Range 25 East, Delaware County, Oklahoma



STATE OF OKLAHOMA
 DELAWARE COUNTY
 I hereby certify that this instrument
 was filed for Record this day

1977 FEB -3 AM 11:34
 #9075 BOOK 353 PAGE 428
 SAM FIELDS, County Clerk
India Berry
 Deputy

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part y of the second part,

his heirs and assigns forever, free, clear and discharged of and from all former grants,
 charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 3rd day of February, 1977

RAYMOND A. ANDERSON, same person as RAY ANDERSON

Raymond A. Anderson

HAZEL ANDERSON

Hazel Anderson

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA County of DELAWARE SS.
 Before me, a Notary Public, in and for said County and State, on this 3rd day of February, 1977,
 personally appeared RAYMOND A. ANDERSON, same person as RAY ANDERSON, and
HAZEL ANDERSON, husband and wife,

to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the
 same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires September 11, 1978

Sonya C. Hughes

Notary Public

NOTE - This form supplied by TITLE GUARANTY DEPARTMENT OF AMERICAN-FIRST TITLE & TRUST CO., Oklahoma City for the convenience of
 ATTORNEYS. Instrument or form should ever be prepared by other than an Attorney.

664 08

FILED
STATE OF OKLAHOMA
DELAWARE COUNTY

'92 AUG 26 PM 2 57

GENERAL WARRANTY DEED

(With Survivorship Clause)

BOOK 664 PAGE 08
MARGARET KELLY COUNTY CLK
BY BJ # 7485
DEPUTY

THIS INDENTURE, Made this 17th day of July, 1992 between JOSEPH JACK PETTY, a single person, party of the first part, and BILL RAY ANDERSON and BETTY FAYE ANDERSON, husband and wife, with right of survivorship, as hereinafter set out, parties of the second part, of P. O. Box 1376, Siloam Springs, Arkansas, 72761.

WITNESSETH: That in consideration of the sum of TEN DOLLARS and other good and valuable considerations, receipt whereof is hereby acknowledged, said party of the first part does by these presents grant, bargain, sell and convey unto BILL RAY ANDERSON and BETTY FAYE ANDERSON, husband and wife, as joint tenants and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple title, the following described real estate situated in Delaware County, State of Oklahoma, to-wit:

The S 1/2 of NE 1/4 of NW 1/4 and the SE 1/4 of NW 1/4 of Section 33, Township 20 North, Range 25 East containing 60 acres, more or less, according to the Government Survey thereof, in Delaware County, Oklahoma.

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever.

AND said party of the first part, his heirs, successors, grantees, executors and administrators do hereby covenant and agree to and with said parties of the second part that, at the delivery of these presents, he is lawfully seized of an absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments and encumbrances of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special assessments not yet due; and mortgage lien to Arkansas State Bank, Siloam Springs, Arkansas, which party Grantor agrees to pay as due.

AND that party grantor will WARRANT AND FOREVER DEFEND the same unto said parties of the second part, their heirs, successors and assigns against said party of the first part, his heirs, successors and assigns, and all and every person or persons whomsoever lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, party of the first part has executed or caused to be executed, this instrument the day and year first above written.

OKLAHOMA Documentary
132
Customs
JUL 27 1992
JOSEPH JACK PETTY

STATE OF ARKANSAS)

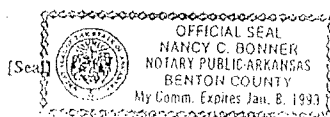
COUNTY OF BENTON)

(OKLAHOMA FORM OF ACKNOWLEDGMENT)

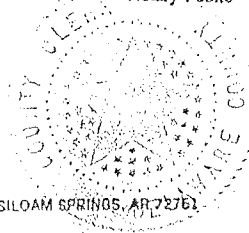
Before me, the undersigned, a Notary Public, in and for said County and State, on this 17th day of July, 1992, personally appeared JOSEPH JACK PETTY, a single person, to me well known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

My commission expires:



Nancy C. Bonner
Notary Public



RETURN TO: CARL BONNER · BOX 577 · SILOAM SPRINGS, AR 72761

AND SUCH ADDITIONAL PROPERTY LOCATED WITHIN:

SECTIONS 8, 9, 16 OR 17
OF TOWNSHIP 20 NORTH, RANGE 25 EAST,
DELAWARE COUNTY, OKLAHOMA,

IN WHICH YOU HAVE ANY OWNERSHIP OR LEASEHOLD INTEREST.

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

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Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.

AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

OKLAHOMA

State of Oklahoma, Inc., et al.

V.

Tyson Foods, Inc. et al.

SUBPOENA IN A CIVIL CASECase Number:¹ 4:05-CV-00329-TCK-SAJ
No. Dist. Okla.TO: Jada Lo Vang formerly Ia Lo Vang
Rt 2, Box 1215
Stillwell, Ok 74960
918/696-8350

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

- ☒ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES The attached legal description and Sampling Request

DATE AND TIME

May 5, 2006 @ 9:00 a.m.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Plaintiff

April 13, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Richard T. Garren, OBA #3253, 502 W. 6th St., Tulsa, Ok 74119

918/587-3161

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

AO88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the non-demanding party to contest the claim.

CORRECTION WARRANTY DEED

THIS INDENTURE, made this 21st day of October, 2004, between JACK HICKEY, a single person, and MORGEN HICKEY, *** a single person, Party of the First Part, of Oklahoma, hereinafter called "Grantors", and IA VANG, ** married woman in her own right, Party of the Second Part, of Oklahoma, hereinafter called "Grantee".

WITNESSETH, that in consideration of the sum of Ten and .00/100ths Dollars (\$10.00), the receipt of which is hereby acknowledged, said Grantors do, by these presents, grant, bargain, sell and convey unto the said Grantee, IA VANG, ** married woman in her own right, her heirs and assigns, all of the following described real estate, situated in the County of ADAIR, State of Oklahoma, to-wit:

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and S $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and N $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 16 North, Range 26 East AND the S $\frac{1}{4}$ of S $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15, Township 16 North, Range 26 East AND all that part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15, Township 16 North, Range 26 East lying South of the County Road, Adair County, Oklahoma

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining forever.

And the said Grantors, JACK HICKEY, a single person, and MORGEN HICKEY, *** a single person, their heirs and administrators, do hereby covenant, promise and agree to and with said Grantee, at the delivery of these presents that they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatsoever nature and kind, and that Grantors will WARRANT AND FOREVER DEFEND the same unto the said Grantee, her heirs or assigns, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands the day and year first above written.

***One in the same as,
MORGEN HICKEY, now HUGHES

Jack Hickey
JACK HICKEY

**One in the same as,
Jada Lo Vang
STATE OF ARKANSAS)
COUNTY OF BENTON) SS.

Morgan Hickey
MORGEN HICKEY

ACKNOWLEDGMENT

Before me, the undersigned Notary Public, duly commissioned and acting, personally appeared JACK HICKEY, a single person, and MORGEN HICKEY, *** a single person, the above-named Grantors to me known to be the identical persons who executed the foregoing Deed and stated they had executed the same as their free and voluntary act and deed and for the uses and purposes therein mentioned and set forth. Given under my hand and official seal on this 21st day of October, 2004.

My Commission Expires:
Aug 12, 2014

R. Mary Medina
Notary Public

PREPARED BY: OFFICE OF R. MARY MEDINA, 114 S. Broadway, Siloam Springs, AR 72761. (479) 524-6605.

RETURN TO: R. MARY MEDINA
BENTON COUNTY
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXP. AUG. 12, 2014

STATE OF OKLAHOMA, Adair County. Filed for record
on this day at 12:00

STATE OF OKLAHOMA }
COUNTY OF ADAIR } ss
I hereby certify that the within and
foregoing instruments is a true and correct
copy of the records as shown in the office of
the County Clerk in and for Adair County.
Dated this 4th day of April, 2006
By Carrie Paulkett County Clerk
[Signature] Clerk

Waste Samples from Productions Facilities (Poultry Houses)

A total of 18 samples of waste will be collected from each house. The samples will be collected at regular intervals covering the total length of the facility using a zigzag pattern. Both litter and cake samples will be collected. A steel spade will be used to collect the samples and place them in a plastic bag contained inside a 5 gallon bucket. After collection of all the samples, the bag and bucket will be sealed. All sampling equipment and reusable personnel equipment will be decontaminated using water, phosphate free soap and 6 percent bleach.

Soil Samples from Waste Applied Fields

Equipment and personnel will be transported to the field in a truck or van. At each field between one and four sampling areas will be identified. Each of the sampling areas will be between one and ten acres in size. At each sampling area, a regular grid pattern of 20 sample locations will be established. At each of the 20 sampling locations, individual soil samples will be collected at three depths: 0 to 2 inches, 2 to 4 inches, and 4 to 6 inches. Individual samples will be placed in plastic bags with labels. All sampling equipment and reusable personnel equipment will be decontaminated between fields using water, phosphate free soap and 6 percent bleach.

Rainfall Runoff Samples

At or near the edge of fields where waste has been applied, rainfall runoff sampling locations will be selected. These locations will typically be low or sloped areas where water will runoff or accumulate. Where runoff water accumulates in a natural depression, the water may be sampled directly from these locations. Rainfall runoff sampling will be conducted from time to time through June 30, 2006 as rainfall events occur.

Groundwater Samples

Samples of groundwater will be collected using a hydraulic pushed sampling device (probe) mounted on the back of a van or truck. The small diameter probe (usually about two inches in diameter) will be pushed into the subsurface at selected locations on or near the edge of fields where waste has been applied. Groundwater will be collected using a small pump or by inserting a small tube inside the probe. At selected locations (up to three per field), a plastic pipe will be placed in the probe hole to allow repeated sampling of the groundwater. To stabilize the pipe, a small concrete pad will be placed around and over the pipe. If requested by the owner, the pad and pipe will be flush with the ground surface. If the probe cannot penetrate the subsurface, an auger drilling rig may be used. Upon completion the ground will be restored to preexisting condition. Grab sample method will be used to gather data from existing wells or springs using scientifically accepted collection procedures.